

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: IMPLANTABLE THERAPY DELIVERY ELEMENT ADJUSTABLE ANCHOR.

The specification of which

a. ☒ is attached hereto

b. was filed on application serial no. was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).¹

I hereby claim foreign priority benefits under Title 35, United States Code, §119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. ☒ no such applications have been filed.

b. such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC §119

COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE

ALL FOREIGN APPLICATIONS, IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE

I hereby claim the benefit under Title 35, United States Code, §120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §122, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

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§ 1.56 Duty of disclosure; fraud, striking or rejection of applications.

(a) A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.

U.S. APPLICATION NUMBER	DATE OF FILING	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/267,793	09 February 2001

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Harold R. Patton	Reg. No. 22,157	Girma Wolde-Michael	Reg. No. 30,724
Thomas G. Berry	Reg. No. 31,736	Kenneth J. Collier	Reg. No. 34,982
Daniel W. Latham	Reg. No. 30,401	Curtis D. Kinghorn	Reg. No. 33,926
Thomas F. Woods	Reg. No. 36,726	Beth L. McMahon	Reg. No. 41,987
Eric R. Waldkoetter	Reg. No. 36,713	Stephen W. Bauer	Reg. No. 32,192

Please direct all correspondence in this case to: Eric R. Waldkoetter

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

201	Full Name of Inventor	FIRST NAME Scott	MIDDLE INITIAL J.	LAST NAME Davis
	Residence & Citizenship	CITY Minneapolis	STATE OR FOREIGN COUNTRY Minnesota	COUNTRY of CITIZENSHIP USA
	Post Office Address	POST OFFICE ADDRESS 4929 Drew Avenue South	CITY Minneapolis	STATE/ZIP/COUNTRY Minnesota 55410/USA
SIGNATURE OF INVENTOR 201:				DATE:
202	Full Name of Inventor	FIRST NAME Keith	MIDDLE INITIAL Richard	LAST NAME Carlton
	Residence & Citizenship	CITY Minneapolis	STATE OR FOREIGN COUNTRY Minnesota	COUNTRY of CITIZENSHIP USA
	Post Office Address	POST OFFICE ADDRESS 4400 Harriet Avenue South	CITY Minneapolis	STATE/ZIP/COUNTRY Minnesota 55409/USA
SIGNATURE OF INVENTOR 202: <i>Keith Richard Carlton</i>				DATE:
203	Full Name of Inventor	FIRST NAME Martin	MIDDLE INITIAL Theodore	LAST NAME Gerber
	Residence & Citizenship	CITY Maple Grove	STATE OR FOREIGN COUNTRY Minnesota	COUNTRY of CITIZENSHIP USA
	Post Office Address	POST OFFICE ADDRESS 6384 Forestview Lane North	CITY Maple Grove	STATE/ZIP/COUNTRY Minnesota 55369/USA
SIGNATURE OF INVENTOR 203: <i>Martin Theodore Gerber</i>				DATE: 24 April 2001

☒ Additional pages of this declaration follow.

2 0 4	Full Name of Inventor	FIRST NAME Thomas	MIDDLE INITIAL Delmar	LAST NAME Schmelzer
	Residence & Citizenship	CITY Lino Lakes	STATE OR FOREIGN COUNTRY Minnesota	COUNTRY of CITIZENSHIP USA
	Post Office Address	POST OFFICE ADDRESS 398 Carl Street	CITY Lino Lakes	STATE/ZIP/COUNTRY Minnesota 55014/USA
SIGNATURE OF INVENTOR 204: <i>Thomas Delmar Schmelzer</i>				DATE: 24 APR 2001
2 0 5	Full Name of Inventor	FIRST NAME John	MIDDLE INITIAL Matthew	LAST NAME Swoyer
	Residence & Citizenship	CITY Andover	STATE OR FOREIGN COUNTRY Minnesota	COUNTRY of CITIZENSHIP USA
	Post Office Address	POST OFFICE ADDRESS 15876 Ilex Street NW	CITY Andover	STATE/ZIP/COUNTRY Minnesota 55304/USA
SIGNATURE OF INVENTOR 205: <i>John Matthew Swoyer</i>				DATE: April 24, 2001
2 0 6	Full Name of Inventor	FIRST NAME Carole	MIDDLE INITIAL Anne	LAST NAME Tronnes
	Residence & Citizenship	CITY St. Paul	STATE OR FOREIGN COUNTRY Minnesota	COUNTRY of CITIZENSHIP Canada
	Post Office Address	POST OFFICE ADDRESS 1401 Eleanor Avenue	CITY St. Paul	STATE/ZIP/COUNTRY Minnesota 55116/USA
SIGNATURE OF INVENTOR 206: <i>Carole Anne Tronnes</i>				DATE: April 24, 2001